IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Original Jurisdiction

Dated: Nainital: the 3rd day of November, 2006
Crl. Bail Application No. 963 of 2006

Order on the Bail Application:
CRIMINAL SIDE

Harnaik Singh @ Naiku
s/o Jugendra Singh
R/o Raghuliya, P.S. Khatima
District Udham Singh Nagar. …….. Applicant

Versus

State of Uttaranchal ……. Opposite Party

Arising out of Crime No. 2299 of 2006
Under Sections: 395, 412 of I.P.C.
Police Station: Khatima
District: Udham Singh Nagar

Hon'ble Prafulla C. Pant, J.

Heard Mr. S.K. Mandal, learned counsel for the applicant and Mr. Nandan Arya, learned A.G.A. for the State.

Applicant Harnaik Singh @ Naiku, who is in jail in connection with crime No. 2299 of 2006, relating to offences punishable under Sections 395, 412 of I.P.C., P.S. Khatima, District- Udham Singh Nagar, has sought his release on bail.

The First Information Report discloses that a motorcycle bearing registration No. U.P. 26-D / 7093 of make Hero Honda Splendor Plus, was looted by some miscreants. The recovery memo, which is incorporated in Ext. A - 2, discloses that the Motorcycle, which was recovered from the applicant Harnaik Singh @ Naiku, was bearing registration No. U.P. 26-B / 0165 of make Bajaj Champion, not the motorcycle looted in the aforementioned crime No. 2299 of 2006.

In the circumstances, of the case, this Court, is of the view, that the applicant deserves bail.

Let the applicants Harnaik Singh @ Naiku be released on bail, in connection with crime No. 2299 of 2006, on his executing a personal bond and furnishing two sureties, each of the like amount to the satisfaction of the Magistrate, concerned.

(Prafulla C. Pant, J.)

Dt. 03.11.2006
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